

Application No. 09/767,542

REMARKS

Claims 1-43 are pending. By this Amendment, claims 9-11, and 16 are canceled, claims 1, 3-8, 12, 17, 20, 22, 25, 27-29, 33, 36, and 38 are amended.

The 35 U.S.C. 112 rejection for indefiniteness in claims 25, 27 and 28 has been corrected by amending the claims accordingly.

The Examiner rejected Claims 9-11 under 35 U.S.C. 102(b). Claims 9 - 11 are canceled.

The Examiner rejected Claims 1, 2, 9, 12, 14, 22, 25, 29, 31 and 33-36 under 35 U.S.C. 102(e) as being anticipated by Brunet et al., U.S. Patent No. 6,237,494. Brunet et al. was also relied upon by the Examiner in all of the 35 U.S.C. 103 rejections of the independent claims. The Examiner contended that Brunet et al. discloses a cartridge that includes a stub casing, a casing and a plasma injector assembly comprising a plurality of plasma injectors, each injector comprising an anode, a cathode, a tube and a wire connecting the anode and the cathode as referenced in Fig. 5a.

Applicant respectfully traverses in that Brunet et al., discloses in Fig. 5a. a plurality of separately controlled, relatively short injectors disposed along the central axis in a Christmas tree formation. As recited by Brunet et al., a plurality of injectors is required for larger caliber rounds (Col. 6: Lines 31-41). Further, the transverse injector assemblies are mounted within the propellant without means to direct the plasma. The claimed design provides for a single plasma injector assembly disposed perpendicular to the central axis within the stub casing aft of the propellant. In view of the preceding, Brunet et al., does not anticipate or render the claimed invention obvious.

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Independent claims 1, 6, 17, 29 and 38 have been amended to more clearly emphasize the aspects of the present invention. In particular, these claims as amended indicate that a vent assembly directs the plasma into the propellant.

In addition, the examiner indicated that claim 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 12 is amended to incorporate claim 16 and claim 16 is cancelled.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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